Manitoba

Manitoba Disaster Assistance Board

Fishing Equipment Losses Program in Easterville

1988

Final Report

89-04779/

MANITOBA DISASTER ASSISTANCE BOARD

FINAL REPORT ON

THE 1988 FISHING EQUIPMENT LOSSES PROGRAM

IN EASTERVILLE

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Manitoba

Government Services

Manitoba Disaster
Assistance Board

Main Floor
800 Portage Avenue
Winnipeg, Manitoba, CANADA
R3G 0N4

(204) 945-3050

April 24, 1989

The Honourable Albert Driedger
Minister of Government Services
Room 203 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Minister:

We wish to advise that the Manitoba Disaster Assistance Board, established under Section 17(1) of the Emergency Measures Act, has completed the work assigned to it under Order-in-Council 1360 dated November 9, 1988 regarding the Fishing Equipment Losses Program for the fishermen in Easterville. We, therefore, now submit the final report of the Board's activities and findings under this program.

We are grateful for the privilege of being of service to the residents of Manitoba.

Yours truly,

Joseph Masi, Secretary

Sydney Reimer, Chairman

Lawrence Boguski, Vice-Chairman

Lois Edie, Board Member

FORWARD

The severe storm which struck Easterville on September 6,7, and 8, 1988 caused severe hardship to the commercial fishermen in Easterville.

The Manitoba Government announced a Fishing Equipment Losses Program to financially assist those commercial fishermen that incurred losses.

In the pages that follow, the details of this program are outlined as well as the activities and findings of the Manitoba Disaster Assistance Board.

ACKNOWLEDGEMENTS

The Board wishes to express its appreciation to the Government of Manitoba for providing financial assistance to resolve the problems which arose from the severe storm in Easterville. Particular thanks should go to the Honourable Albert Driedger, Minister of Government Services, and his staff, all of whom provided the Board with information and other material aid to ensure the program was a success.

The Board is grateful to Scott Bradbury, Director of the Easterville Fisherman's Association, for his excellent cooperation with tne Board in distributing the application forms to the fishermen that incurred losses, collecting and sending them in to the Board's office, and finally ensuring all the necessary documents were properly signed by the fishermen.

Finally, the Board would like to thank its staff for the diligent and conscientious manner in which the business of the Board was conducted.

SECTION 1

LOSSES FROM THE SEPTEMBER 6, 7, AND 8, 1988 STORM IN EASTERVILLE

The storm that struck Easterville on September 6, 7, and 8, 1988 caused a number of commercial fishermen to incur great losses of their fishing equipment.

Many of the fishermen in Easterville go out for days at a time, either staying on the island or on the main shore. When these fishermen return from fishing, they generally leave most of the items in boats or around the shore's edge in fish tubs. The storm was very severe and the high waters washed the articles such as tubs, paddles, ropes, and other fishing equipment away.

In addition, the storm caused many logs from the lake to go into the nets and severely rip them.

Overall, the storm had a severe impact on the community of Easterville since many of the fishermen depend on fishing for their livelihood.

SECTION 2

ORDERS-IN-COUNCIL

A. Establishment of the Manitoba Disaster Assistance Board

The Manitoba Disaster Assistance Board was established under Section 17(1) of the Emergency Measures Act. It is responsible for: recommending to the Minister of Government Services government policy on disaster assistance claims and reporting to the Minister of Government Services on disaster assistance matters. The Board provides a readily activated mechanism for dealing with damage related matters referred to it as a result of natural or human-made disasters.

B. Appointment of the Board Members (Appendix A)

Order-in-Council 893/88 appointed Mr. Sydney Reimer as a member and Chairman, Mr. Lorne Boguski as a member and Vice-Chairman, and Mrs. Lois Edie as a member of the Manitoba Disaster Assistance Board. This Order-in-Council outlined the powers and remuneration of the members of the Board.

C. The Fishing Equipment Losses Program (Appendix B)

Order-in-Council 1360/88 contained Terms of Reference and Limits of Compensation of the Fishing Equipment Losses Program for the individuals in Easterville who lost their fishing equipment as a result of the storm on September 6, 7, and 8, 1988. The assistance was in the form of an

ex-gratia cash grant of up to $30,000.00 after a deductible of $250.00 or 25% of approved costs, whichever was greater. Financial assistance was provided to help defray the costs of loss of such items as fishing nets, anchors, corks and leads. The program was administered by the Manitoba Disaster Assistance Board.

SECTION 3
POLICIES AND PROCEDURES

On September 15, 1988 Mr. Scott Bradbury, one of the Directors of the Easterville Fisherman's Association, came to the Board's office and advised that a number of fishermen lost their nets from a severe storm on September 6, 7, and 8, 1988. Mr. Bradbury also brought in an itemized statement of all the fishermen that suffered losses.

Mr. Bradbury was inquiring whether any type of assistance might be available to the fishermen in Easterville for these losses.

On October 5, 1988, the Board passed a motion recommending to the Minister of Government Services that assistance be offered to the fishermen of Easterville for their losses as a result of the severe storm on September 6, 7, and 8, 1988.

On November 9, 1988, Cabinet approved the fishing equipment losses program for the fishermen of Easterville.

On November 9, 1988, the Honourable Albert Driedger informed

Mr. Scott Bradbury of the Easterville Fishermen's Association, that the government had approved financial assistance to the fishermen of Easterville and he also enclosed a number of application forms for the fishermen. A copy of the letter from the Minister of Government Services to Mr. Bradbury is enclosed under Appendix C.

After the applications were sent to the fishermen of Easterville, the application forms began arriving in the Board's office. These application forms were stamped numerically and recorded on index cards arranged alphabetically. File folders were then prepared for each applicant.

Upon completion of this, the files were forwarded to the Chief Evaluator in order to assess and calculate the losses, based on the Board's compensation guidelines. Subsequent to the Chief Evaluator calculating the losses, the files were then passed to the Secretary of the Board and a Board member for their approval.

Following this approval, award letters were prepared and signed by a Board member along with the Secretary. The award letters were then mailed to the applicant along with the financial assistance agreement form. The purpose of this form was to ensure that the claimant did not receive compensation from any other sources for his losses, and secondly that the claimant was satisfied with the amount of compensation.

After the financial assistance agreements were returned to the Board's office signed, a cheque voucher was prepared and sent to the Department of Finance along with the award letter and the financial

assistance agreement. The Department of Finance in turn would mail the cheques out to the individual claimants. In the case of the Easterville program, all of the cheques were forwarded to the Easterville Fisherman's Association for distribution to the individual claimants.

The files were then placed in completed file drawers in numerical order for future references.

The final item that the Board had to establish was the deadline for receiving the applications. After consideration by the Board, a deadline of December 31, 1988 was established as the last date on which the Board could accept the applications for assistance. The Board informed the Easterville Fisherman's Association of this deadline by the way of a letter to Scott Bradbury.

A list of all the forms used to administer the Easterville fishing equipment losses program is enclosed in this report under Appendix D.

A final note that should be made is that there were two isolated claims from different disasters included in this program under Order-in-Council 1360/88. They were:

	NAME		TYPE OF DISASTER
a).	Jim Kristjanson	WAB2-1	Fire, July, 1987 - Wabowden
b).	Einar Bird	SEL-1	Windstorm, June 24, 1988 - Selkirk

The amount of compensation awarded to them is included under Section 4 of this report.

SECTION 4

SUMMARY OF INDIVIDUALS WHO RECEIVED

FINANCIAL ASSISTANCE FOR LOSS OF FISHING EQUIPMENT

The follwoing is a summary of all the claims submitted to the Manitoba Disaster Assistance Board regarding the loss of Fishing Equipment Program in Easterville:

EASTERVILLE

Total Claims Received by the Board		62
Completed Claims -		62
-Progress Payments	0	
-Appeal Cases	0	
No Claim		0

Compensation Costs

	Number of Claims	Amount of Compensation
Award EAS - Under $2,000.00	62	$ 64,286.35
Award EAS2 - Over $2,000.00	0	0
TOTAL	62	$ 64,286.35
Average Amount of Compensation Per Claim		$ 1,036.88

Two Other Claims Compensated Under this Program

	NAME	ADDRESS	DISASTER	AMOUNT AWARDED
1.	Jim Kristjanson	Wabowden, MB	Fire	$ 11,698.87
2.	Einar Bird	212 Taylor Av. Selkirk, MB	Windstorm	$ 1,317.02

TOTAL AWARDED FOR FISHING EQUIPMENT AND TWO CLAIMS $ 77,302.24

SECTION 5
CONCLUSION

The Board is satisfied that the Fishing Equipment Losses Program was administered according to the Terms of Reference and Limits of Compensation by the Order-in-Council referred to the Manitoba Disaster Assistance Board by the Lieutenant Governor-in-Council.

The Board wishes to express its commitment to continue to serve the Government of Manitoba whenever disaster assistance programs are referred to the Board for administration and implementation. It is only with the full cooperation of all people involved that the residents of Manitoba can continue to receive assistance in times of disasters. The Board pledges itself to that cooperation.

APPENDIX "A"

ORDER-IN-COUNCIL 893/88

AUG 9 1988

MANITOBA

August 8, 1988: Copied to Administration/M.D.R.B. (M.G.S. 127/88)

DEPUTY MINISTER AUG 8 1988 OF GOVERNMENT SERVICES

Order in Council

ON MATTERS OF STATE

No. 893

To The Honourable the ~~Lieutenant-Governor~~ ADMINISTRATOR in Council

The undersigned, the Minister of ...Government Services... submits for approval of Council a report setting forth that:

WHEREAS it was deemed expedient and in the public interest to establish "The Manitoba Disaster Assistance Board" to administer programs of assistance to victims of designated disasters referred to it by the Lieutenant Governor-in-Council;

AND WHEREAS by Order-in-Council 686/83, Albert St. Hilaire was appointed as Member and Chairman; Willis Ayers was appointed as Member and Vice-Chairman; and Larry Kehler was appointed as Member of The Manitoba Disaster Assistance Board, to serve at the pleasure of the Lieutenant Governor-in-Council;

AND WHEREAS by Order-in-Council 428/84, Order-in-Council 686/83 was amended to replace Larry Kehler with Rudy Regehr as a member of the Disaster Assistance Board.

AND WHEREAS it is deemed advisable to revoke the appointments to the Manitoba Disaster Assistance Board of Albert St. Hilaire, Willis Ayers and Rudy Regehr, effective July 27, 1988.

AND WHEREAS it is deemed advisable to appoint Sydney Reimer, Member and Chairman; Lorne Boguski, Member and Vice-Chairman, and Lois Edie, Member of The Manitoba Disaster Assistance Board, effective July 28, 1988 to serve for a one year term to July 27, 1989 inclusive.

THEREFORE he, the Minister, recommends:

THAT the appointments of Albert St. Hilaire, Willis Ayers and Rudy Regehr to the Manitoba Disaster Assistance Board be revoked effective July 27, 1988.

THAT the appointments of Sydney Reimer, Member and Chairman; Lorne Boguski, Member and Vice-Chairman; and Lois Edie, Member of The Manitoba Disaster Assistance Board be made effective July 28, 1988 to serve for a one year term to July 27, 1989 inclusive.

THAT the Chairman and Members be paid the salaries, expenses and expenditures and undertakings of said Board from out of the Consolidated Fund with monies authorized under an Act of the Legislature to be so paid and applied, the sum of twenty-five dollars ($25.00) per hour for each hour spent on the business of the Board, together with such actual expenses as they incur in the performance of their duties.

Initiating Department/Agency

...rtment/Agency Authorized Officer

Approved By

C.S.C. Finance

Approved as to form by:

... T Hayes

Initials

...l Litigation Branch/ Legislative Counsel:

Signature Albert St Hilaire

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

28 July 1988
Date

President or Presiding Alternate

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this 29th day of July A.D. 1988

Lieutenant-Governor ADMINISTRATOR

PSF 60

APPENDIX "B"

ORDER-IN-COUNCIL 1360/88

MANITOBA

December 2, 1988
cc: J. Masi

~~DEC 04 1988~~

Order in Council

ON MATTERS OF STATE DEC 05 1988

No. 1360

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of ....Government..Services.....
submits for approval of Council a report setting forth that:

WHEREAS the Manitoba Disaster Assistance Board has been established under Section 17(1) of the Emergency Measures Act to inquire into losses caused by disasters;

AND WHEREAS there were losses of fishing equipment caused by a storm in Easterville on September 6, 1988 and Selkirk on June 24, 1988, and losses in Wabowden from a fire on July 13, 1987;

AND WHEREAS it is deemed expedient and advisable to provide assistance to those who have suffered losses as a result of these storms and fire;

THEREFORE he, the Minister, recommends

1. THAT the Manitoba Disaster Assistance Board shall determine whether the Disaster Assistance Program applies to each individual case.

2. THAT the total amount of assistance to be allowed in respect of each claim shall be subject to a deductible of $250.00 or 25% of approved costs, whichever is greater, to a maximum of $30,000.00.

3. THAT notwithstanding anything in this Order the persons to whom assistance may be granted will be:

   (1) all persons in Easterville whose fishing nets were in the opinion of the Board within the inundated area caused by the storm, and

   (2) Mr. Einar Bird of Selkirk, Manitoba for loss of fishing equipment on June 24, 1988, and

   (3) Mr. Jim Kristjanson of Wabowden, Manitoba for losses from a fire on July 13, 1987.

4. THAT the said Board shall have the power to rent office accommodation, to rent or purchase office supplies, to purchase stationery and to employ and fix salaries of such persons as may be required to enable the said Board to carry out the work assigned to it.

5. THAT the salaries of the members of the Board and the persons employed by the said Board and all other expenses which may be incurred by the said Board be paid out of an account to be established by the Department of Finance for such purpose under presentation of a requisition signed on behalf of the said Board by a member of the said Board and countersigned by the Secretary of the Board and a requisition so signed shall be conclusive proof that the said payment has been properly made under this Order.

6. THAT the Chairman and members of the Board receive the sum of twenty-five dollars ($25.00) per hour for each hour spent on the business of the Board, together with such actual expenses as they incur in the performance of their duties.

7. THAT when the amount of assistance has been determined in accordance with the terms of this Order, the Board shall set up a credit in an account in the name of the owner or the person or persons otherwise entitled to apply for assistance, to be kept by the Board.

8. THAT all individuals who apply for assistance under this program may appeal to the Board, if they are not satisfied with their awards.

9. THAT all compensation payments made under this Order-in-Council shall be ex-gratia.

10. THAT all payments made under this Order-in-Council be paid out of Appropriation 18-1D.

Initiating Department/Agency	
Department/Agency: M.D.A.B.	Authorized Officer:
Approved by: C.S.C.	Finance
Approved as to form by: Name	
Civil Litigation Branch: or Legislative Counsel	Initials

Signature

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

9 November 1988
Date

President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

APPENDIX "C"

LETTER FROM THE HONOURABLE ALBERT DRIEDGER

MINISTER OF GOVERNMENT SERVICES

TO

THE EASTERVILLE FISHERMAN'S ASSOCIATION

Manitoba

NOV 15 1988

Minister of
Government Services

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8
Telephone: 945-2979

November 9, 1988

Mr. Scott Bradbury
Easterville Fisherman's Association Inc.
Easterville, Manitoba
ROC 0V0

Dear Mr. Bradbury:

The Government of Manitoba has approved financial assistance for individual losses of fishing nets incurred from a severe storm in Easterville on September 6, 1988.

For individual losses, each claim will be subject to a deductible amount of $250.00 or 25% of approved costs, whichever is greater.

I am enclosing a number of application for assistance forms to be used by private individuals. These may now be distributed to those residents seeking compensation for their losses, as indicated on each application.

The Manitoba Disaster Assistance Board will administer this program. If you require more information, please contact them at 945-3050 or write to them at 800 Portage Avenue, Winnipeg, Manitoba, R3G 0N4.

Sincerely,

ORIGINAL SIGNED BY
ALBERT DRIEDGER
Albert Driedger
Minister

Enclosure

√b.c. J. Masi

APPENDIX "D"

FORMS USED TO ADMINISTER

THE FISHING EQUIPMENT LOSSES PROGRAM IN EASTERVILLE

1. DATE

PAYMENT VOUCHER

Manitoba Finance

2. PAYMENT VOUCHER NO. 928657

3. MAKE CHEQUE PAYABLE TO:

4. FOR ACCOUNT OF:
NAME
ADDRESS

5. TOTALIZED ACCOUNT

6. SOCIAL INSURANCE NO.

10. INVOICE DATE	10. INVOICE NUMBER	11. TYPE	12. AMOUNT PAYABLE	13. PARTICULARS

20. ACCOUNT NUMBER (DEPT., MAIN AND SUB-ACCOUNT)	21. TYPE	22. AMOUNT	23. EXPENDITURE OBJECT	24. REFERENCE	25. DEPARTMENTAL DISTRIBUTION PROGRAM	RESP. CENTRE	ACTIVITY	SUB-ACTIVITY	26. SHAREABILITY

FOR DEPARTMENTAL USE

30

NOT FOR DEPARTMENTAL USE

PROVINCIAL AUDITOR'S OFFICE EXAMINED BY:

Payment requisitioned in accordance with the requirements of The Financial Administration Act. Particularly, the undersigned certifies that goods or services have been received or the payment is in accordance with a contract therefor, that prices are as agreed and that funds are available within the account charged

31. DEPUTY MINISTER OR AUTHORIZED SIGNING OFFICER

DISTRIBUTION: PART 1 - Provincial Audit
Other Parts - See F.A.M. 2D - 1.1

0 PS-1-105

Application for Assistance Re Losses and Damages

Manitoba Disaster Assistance Board
Main Floor
800 Portage
Winnipeg, Manitoba
R3G 0N4
(204) 945-3050

Area

Buildings, Moveable Objects, Personal Effects, Other Out-of-Pocket Expenses and Erosion of Farm Lands

Careful completion of this form will greatly assist in early assessment and payment of your claim.

Name of Applicant _____ Telephone _____

Postal Address _____

Street Address _____

Legal Property Description _____ Tax Roll No. _____

Do you have insurance to cover any of your losses? Yes ☐ No ☐

Receipts and invoices for all out-of-pocket expenses must be attached.

Size of Family	Male	Female
Adults (age 15 and over)		
Children (under age 15)		

Structural Damage to Buildings

If due to Flooding above basement floor above ground floor

Depth of water in building: _____ feet Date of Flooding _____

Type of water _____

Inspector's verification _____

Place X where applicable

- ☐ Residence
- ☐ Garage
- ☐ Barn or Stable
- ☐ Other Buildings
- ☐ Small Business
- ☐ Farmland Erosion

For the buildings in question I am legally authorized to make representation as:

- ☐ Registered owner clear title
- ☐ Registered owner subject to Mortgage
- ☐ Registered owner under Agreement of Sale
- ☐ Tenant and agent of the owner, or
- ☐ Non-tenant agent of the owner.

If applicant is not the owner give name and address of owner.

Name _____ P.O. Address _____ Telephone _____

Moveable Objects, Personal Effects, Out-of-Pocket Expenses and Details of Erosion

Quantity	Article	Original Cost	Year of Purchase
	If more space is required use reverse side or attach separate sheet.		

Note: Retain all items listed above for inspection by Board inspector.

DECLARATION

1. I certify that the above statements represent a true and correct listing of expenses and/or losses incurred by me.
2. I understand that any amount awarded as partial reimbursement of expenses incurred by me as a result of the disaster is a grant from Government.

Signature of Applicant _____ Date _____

MB-10333 (Rev. 87)

EVALUATOR'S REPORT

Size of Family	Male	Female
Adults (age 15 & over)		
Children (under age 15)		

Claimant Address Inspector

Water Level Type Times Flooded Dates

STRUCTURAL:	AMOUNT:
Clean-up - Basement Size:	
Furnace - Hot Water Tank:	
Exterior Walls:	
Interior Walls	
Floors:	
Doors & Frames:	
Stairs:	
TOTAL STRUCTURAL	
MOVEABLES:	
TOTAL MOVEABLES	

Distribution: Structural Total Award

Moveables Less Deductible

Total Award

Date Date

Chief Evaluator Evaluator

Secretary Chairman

O A T H

I, ...

of .....

do solemnly swear that the following fishing equipment was lost due to the storm on September 6, 7 and 8, 1988 in Easterville.

Nets Mesh
~~Boxes~~ Corks
~~Bags~~ Leads
Rolls Side Line
Anchors
Bouys

The fishing equipment was lost and was not available for verification by any responsible official.

So help me God.

TAKEN, subscribed and sworn before
me at
this day of
A.D. 1988 .....

.....
A Commissioner for Oaths

My Commission expires

(Give date)

Manitoba

Government Services

Manitoba Disaster
Assistance Board

Main Floor - 800 Portage Avenue
Winnipeg, Manitoba, CANADA
R3G 0N4

(204) 945-3050

AWARD NO.

Re: _____

With reference to your application re losses and damages caused by _____ _____ to the above property, we wish to inform you that your application has now been considered by the Board.

The decision of the Board is to award you the following ex-gratia payment to assist you in defraying the costs of your losses and/or the repair of damages relating to the above described property.

$	for Structural Damages
$	for Movable Objects, Personal Effects, Business Inventories, etc.
$	

This award is being made on the understanding that the money will be applied towards repair of the above property.

If you would like to appeal this decision, please forward a letter of appeal to the Secretary of the Board within 15 days of receiving this award letter.

Yours truly,

Chairman

Secretary

Original — White to Claimant; Second Copy — Green to Finance Department; Third Copy — Canary to Accounting; Fourth Copy — Pink to Voucher File; Fifth Copy — Goldenrod to Claim File.

MG-6483 (Rev. 80)

MANITOBA DISASTER ASSISTANCE BOARD

Financial Assistance Agreement

WHEREAS _____ (hereinafter
(name)
referred to as the "Recipient") has been awarded Financial Assistance by the Manitoba Disaster Assistance Board (hereinafter referred to as the "Board") in the amount of $_____ as compensation for losses arising from _____
(hereinafter referred to as the "losses").

NOW THEREFORE IN CONSIDERATION of the above amount, the receipt of which is hereby acknowledged, the Recipient hereby convenants and agrees as follows:

1. The Recipient shall forthwith advise the Secretary of the Board of any compensation received by the Recipient from any other sources for the losses.

2. If in the opinion of the Board the compensation from other sources relates to the particular losses for which Financial Assistance has been paid by the Board, the amount of that compensation, not exceeding the amount of Financial Assistance paid, shall consitute a debt due and payable to the Government of Manitoba.

3. The debt referred to in paragraph two shall be payable to the Government of Manitoba within thirty days from the date of mailing by the Board of written notice of the debt to the Recipient.

4. The Recipient shall, within thirty days of the mailing of a written request by the Board, give any person desiginated by the Board access to any records and documents within the power and control of the Recipient and relating to the losses and any compensation received.

5. If the Recipient fails to report compensation as required by paragraph one or fails to comply with a request under paragraph three the entire amount of the Financial Assistance paid herewith shall be deemed to be a debt due to the Government of Manitoba, payable on demand.

DATED the _____ day of _____, 19____.

_____
(Recipient's Signature)

_____
(Witness)